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UNITED STATES OF AMERICA  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ANTOLIN ANDREW MARKS,

Plaintiff,

v.

NEIL CLARK,

Defendant.

Case No. C07-1897MJP

ORDER

Before the Court is Magistrate Judge James P. Donohue’s Report and Recommendation on Plaintiff’s habeas petition. Before adopting or denying the R&R, the Court requires more information from the parties. Defendant stated in January 2008 that “the Trinidad Embassy is actively investigating Petitioner’s citizenship, and will issue a decision on whether a travel document will be issued very soon.” (Def.’s Return at 2.) Additionally, an official for the Defendant stated that Trinidad’s investigation into Plaintiff would conclude in mid-February 2008. (See Giles Decl. No. 2.) It has been approximately six months since February 2008, and the Court has yet to receive any new information from Defendant regarding Trinidad’s investigation.

Plaintiff alleges in his Opposition that Trinidad has concluded its investigation and denied travel documents to Plaintiff. (Am. Opp. to R&R at 10.) Plaintiff further asserts that he had attached evidence of Trinidad’s decision, in the form of declarations, to his Response to Respondent’s Return and Motion to Dismiss. (Id.) The Court, however, never received Plaintiff’s Response nor the attached evidence.

Accordingly, IT IS HEREBY ORDERED that Defendant provide the Court with updated information regarding Trinidad's investigation and issuance of travel documents to Plaintiff. IT IS FURTHER ORDERED that Plaintiff provide the Court with the evidence, referred to in his Opposition to the R&R, of Trinidad's decision to deny Plaintiff travel documents. The parties must provide the Court with the requested information within seven (7) calendar days of this order.

The clerk is directed to send copies of this order to all counsel of record.

Filed this 14th day of August, 2008.

s/Marsha J. Pechman  
Marsha J. Pechman  
United States District Judge